UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LARRY FREUDENBERG, Individually and on Behalf of All Others Similarly Situated,

Plaintiff,

vs.

E\*TRADE FINANCIAL CORPORATION,
MITCHELL H. CAPLAN and ROBERT J.
SIMMONS,

Defendants.

Defendants.

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Filed 11/14/2007

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## CORPORATE DISCLOSURE STATEMENT PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 7.1

Pursuant to Federal Rule of Civil Procedure 7.1, the undersigned attorney of record for Defendant E\*TRADE Financial Corporation ("E\*Trade") certifies that there exist no parent companies, subsidiaries, or affiliates of E\*Trade that have outstanding securities in the hands of the public except for a single affiliate company, IL&FS Investsmart Limited (India).

Dated: New York, New York November 13, 2007

Case 1:07-cv-08538-RWS

DAVIS POLK & WARDWELL

By: Nancy B. Ludmerer

Dennis E. Glazer Nancy B. Ludmerer Edward N. Moss

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